



Report of the Head of Adult Social Services

Poverty Reduction Policy Development Committee – 20 December 2021

Draft Corporate Personal Debt Recovery Policy

Purpose:	To adopt a policy which embeds a corporate approach to the collection of personal debt.
Policy Framework:	Swansea Council's Tackling Poverty Strategy Welsh Government's Financial Inclusion Strategy Wellbeing of Future Generations (Wales) Act 2015 Socio-Economic Duty 2021 LGA 1972 / Financial Regulations / Council Constitution
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) It is recommended that the remaining services that collect personal debt are invited to draft further sections to the draft policy that reflect how the principles of the policy will be applied in their service areas.
Report Author:	Anthony Richards
Finance Officer:	Chris Davies
Legal Officer:	Aled Gruffydd
Access to Services Officer:	Catherine Window

1. Introduction

- 1.1 The draft Corporate Personal Debt Recovery Policy (Appendix A) sets out how Swansea Council will work with its customers and partners to collect personal debt and what it would do to help those who are in debt.
- 1.2 Debt is defined as 'any amount owed that has not been paid by the due date.'
- 1.3 The policy covers all personal debts owed to the Council, which includes, but is not limited to:

- Housing Rents
- Council Tax
- Parking Penalty Charge notices
- Social Care fees
- Housing Benefit Overpayments
- Overpaid Council salaries and wages (current and former employees)
- Parking season tickets
- Housing recharges
- Berthing charges
- Fines for littering and dog fouling
- Other debts owed to the authority

2. Developing a Corporate Personal Debt Recovery Policy

- 2.1 The Council recognises that a significant proportion of Council services are funded through taxes and service charges. If income is not collected effectively, then the authority will be unable to properly fund the vital services it provides for the citizens of Swansea or it will simply mean costs fall to others to pay more to make up the shortfall.
- 2.2 The Chief Finance Officer (Section 151 Officer) is required under The Local Government Act 1972 to ensure proper administration of the financial affairs of the Council. One such area of administration relates to the collection of income due to the Council. The Chief Finance Officer's responsibility, along with other officers, in the collection of income due to the Council is outlined in the Council's Constitution.
- 2.3 Swansea Council also recognises that early engagement from those at risk of debt or in debt, can prevent debts from escalating, reduce indebtedness and increase the ability of citizens to meet their financial responsibilities.
- 2.4 We know that anyone can experience financial difficulties at any time and that money problems do not just affect the person in debt. Families and communities thrive when people can afford healthy lives and avoid the stress of money worries.
- 2.5 We want Council policies to reflect this and our customers to know that we will help people with money worries to get free and impartial help if they want it.
- 2.6 Services across the Council that collect outstanding personal debts have provided initial feedback on the draft Corporate Personal Debt Recovery Policy including the guiding principles that have been developed.
- 2.7 A workshop was held with Officers from Housing Rents and Council Tax and subsequently, these services have been asked to provide respective draft content in relation to their services.

3. Recommendations

- 3.1 It is recommended that the remaining services that collect personal debt are invited to draft further sections to the draft policy that reflect how the principles of the policy will be applied in their service areas.

4. Integrated Assessment Implications

- 4.1 The Council is subject to the public sector duties relating to equality and socio-economic inequalities as prescribed by the Equality Act 2010, the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure 2011, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 4.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 4.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 4.4 An IIA screening has been opened and will be completed prior to corporate briefing. A full IIA may be required dependant on the outcome of the screening.

5. Financial Implications

- 5.1 Whilst there are no direct financial implications arising from this report, it may lead to decisions being taken at a later date that may have costs attached. Should that be the case, additional consideration will need to

be given to how the additional costs / resources will be provided at that time.

6. Legal Implications

- 6.1 The Council must have due regard to the Public Sector Equality Duty under s149 of the Equality Act 2010 as well as its duties under the Equality Act (Statutory Duties) (Wales) Regulations 2011.

Appendices:

Appendix A Draft Corporate Personal Debt Recovery Policy